



Lamoine Board of Selectmen

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Minutes of March 17, 2011

Deputy Town Clerk Stu Marckoon called the meeting to order at 7:00 PM

Present were: Selectmen William Brann, Gary McFarland, Cynthia Donaldson, Richard Fennelly Jr., S. Josephine Cooper; Administrative Assistant & Deputy Town Clerk Stu Marckoon, and Appeals Board chair Griff Fenton.

Selection of Chair – Richard nominated Jo to be the chair for the year. Gary 2nd. Jo said she enjoyed doing the job. **Vote in favor was 4-0 (Cooper abstained).** Stu told Jo she now had command of the meeting.

Agenda Review – Stu said he did not make an addendum up, but had an update on the town attorney matters from the previous meeting and Mr. Fenton was here to address that as well.

Minutes of March 3, 2011 – Richard said he had a few minor corrections, as did Cynthia. Jo moved to approve the minutes as corrected. Richard 2nd. **Vote in favor was 5-0.**

Expenditure Warrant 18 – Selectmen signed expenditure warrant 18 for \$201,409.66. Stu reported the largest expenditure was for the RSU 24 bill of \$174,000 along with salt and sand purchases, and the trash and recycling transport bills. A brief discussion of the icy roads earlier in the day ensued.

Cash & Budget Report – Cynthia asked if excise tax collections generally pick up in the last quarter. Stu said they should. Richard asked about the Harbor Fund, and whether some of that money could be used to fund the Shellfish appropriation. Stu said that could be considered in the next budget cycle.

Investment Management Report – There were no questions about the written report from The First Advisors.

Appointments – Jo moved to appoint present Conservation Commission Alternate member Annie Crisafulli as a full member, filling the vacancy created by the resignation of Amy Morley. Richard 2nd. **Vote in favor was 5-0.**

Jo moved to appoint Lawrence Libby as an Alternate Conservation Commission member, replacing the seat vacated by Annie Crisafulli (see above). Richard 2nd. **Vote in favor was 5-0.**

Disbursement Policy – Stu reported the signature version has eliminated the language referring to the bi-weekly school teacher payroll, as that no longer exists. Jo moved to approve the policy as presented. Gary 2nd. **Vote in favor was 5-0.** Selectmen signed the document.

Stu noted that a plowing bill will be coming due on March 31 and asked for permission to release that check at the end of the month, as it will be prior to the next meeting. There was no objection. He also noted that the Bangor Hydro bills will come due the day of the next meeting, and that he would schedule them for payment prior to that. Again, there was no objection.

Fee Schedule – Stu noted that credit card fees have been added to the schedule in anticipation of acceptance. He also noted that the various ordinance fees have not been included, as the town meeting the night before just approved of the changes to have the Selectmen set those fees. Jo said the Planning Board and Code Enforcement Officer should be consulted before setting the fees.

Jo moved to continue the ordinance fee structure and review it with the Planning Board and CEO. Gary 2nd. Richard said a clean break should be made at the end of the fiscal year. **Vote in favor was 5-0.**

Jo moved to approve the other fees as presented. Richard 2nd. **Vote in favor was 5-0.** Selectmen signed the fee schedule.

Selectmen Rules of Procedure – Stu proposed a change in the meeting schedule to indicate that meetings are the 1st and 3rd Thursdays of the month with the flexibility to schedule one meeting in the months of July and August. Cynthia asked about the clause to waive the bylaws by the board. There was a brief discussion.

Jo moved to approve the Rules of Procedure as proposed. Richard 2nd. **Vote in favor was 5-0.** Selectmen signed the document.

Water Filter Installation – Stu said a proposed agreement between the homeowner who is having the filter installed received a thumbs-up from the Maine DEP, but has not been reviewed by an attorney. Cynthia said there were two minor errors that needed correction. Selectmen had no objection to offering the agreement to the homeowner.

Attorney Information – Appeals Board Chair Griff Fenton said he spoke with the town attorney earlier in the day and asked for a cost estimate as outlined last meeting. He said attorney Beardsley indicated it would take 3-to-5 hours to review the documents and come up with advice for the Appeals Board. He said Mr. Beardsley charges \$190/hour. He said he and Mr. Beardsley agreed that having the attorney attend the Appeals Board meeting would not be necessary and potentially costly. Jo said that was helpful. She asked if Mr. Beardsley had a conflict in representing the Appeals Board. Stu said Mr. Beardsley told him his involvement with the Planning Board on this matter was minor in nature.

Jo moved to authorize the Appeals Board to consult with the town attorney on the Gott appeal with the understanding that it would cost no more than \$1,000. Richard 2nd. **Vote in favor was 5-0.**

Goodwin – Stu reported that he spoke with Mr. Beardsley earlier in the day in regard to the Goodwin matter discussed at the previous meeting. He said Mr. Beardsley suggested following a consent agreement route and that Mr. Beardsley would take care of contacting Mr. Goodwin and pursuing this. He said pursuing a violation would likely result in a moot matter as the Planning Board is likely to renew the permit, which could potentially resolve the violation.

Richard said he would like to make it clear to the Planning Board that if the permit is renewed, the expiration date should not extend beyond the 3-year anniversary of the prior permit expiration. Richard moved to authorize the town attorney to pursue a consent agreement with Goodwin in regard to operating a gravel pit without a permit. Gary 2nd. **Vote in favor was 5-0.**

Vacancies – Stu noted the death of Budget Committee and Appeals Board Alternate Member Reggie McDevitt the night before, which creates openings on both boards. Selectmen advised to advertise for applicants for both positions. The Board also signed a card expressing condolences to Mr. McDevitt's family.

Stu wished a speedy recovery to Parks Commission Chair Kerry Galeaz who is recovering from an injury.

Next Meeting – The next regular meeting is scheduled for April 7, 2011. Jo indicated she would not be in town for that meeting.

Town Meeting Follow Up – Bill noted that the total of the votes for each candidate and write-ins did not add up to the total turnout. Stu reported that a few voters left one office or another blank.

There being no further business, the meeting adjourned at 7:33 PM.

Respectfully submitted,

Stu Marckoon, Adm. Asst. to the Selectmen